

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CATILINA NOMINEES PROPRIETARY
LTD., and DANIELS SHARPSMART, INC.,

Plaintiff,

vs.

STERICYCLE, INC.

CIVIL ACTION NO. 1:15-cv-10734

JURY TRIAL DEMANDED

Defendant.

JOINT INITIAL STATUS REPORT

Pursuant to this Court's minute entry (Dkt. 8), the parties submit the following joint written status report.

1. Nature of the Case

A. The attorneys of record for Plaintiffs are Russell J. Genet (lead trial attorney) and Jason T. Kunze. The attorneys of record for Defendant are David G. Mangum (lead trial attorney), Raymond J. Etcheverry, C. Kevin Speirs, Dana M. Herberholz, and R. David Donoghue.

B. Stericycle, Inc. (“Stericycle”) was served on December 21, 2015.

C. The basis for federal jurisdiction is the Patent Laws of the United States, in particular 35 U.S.C. §§ 271, 281, 283, 284, and 285, and subject matter jurisdiction is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

D. The complaint asserts a claim for infringement of U.S. Patent No. 6,250,465 (the ’465 Patent), entitled “Sharps Container.” Stericycle’s counterclaims seek declaratory judgments that the ’465 patent is invalid and not infringed by Stericycle.

E. Plaintiffs seek monetary damages, including but not limited to lost profits, and injunctive relief for Stericycle’s allegedly infringing acts.

F. The parties anticipate that the primary legal issues in the case will be the validity of the ’465 Patent, and the construction of selected claim terms within the asserted claims. The primary factual issues will be the structure and operation of the accused Stericycle products, the development of the products, whether such products infringe the ’465 Patent, factual issues attendant to the various invalidity legal issues, and the type and amount of recoverable damages, if any.

2. Case Plan

No motions are pending at this time, and Stericycle did not respond to the complaint with a motion.

Since this is a patent case, this Court's Local Patent Rules are controlling. (*See, e.g.*, LPR 1.1, 1.2 and Appendix A). Therefore, per the Local Patent Rules, the parties are attaching the report of the parties' planning meeting (Ex. A) and a proposed schedule (Ex. B). Together these attachments provide the proposed discovery plan requested by the Court.

The parties have demanded a trial by jury, and estimate the trial will take approximately seven (7) days.

3. Settlement

No settlement discussions have occurred as of this time. The parties believe that a settlement conference may be productive after the parties have made initial disclosures and exchanged initial contentions. A further settlement conference may be productive after the Court's claim construction ruling.

4. Consent to Proceed Before a Magistrate Judge

Counsel have informed their respective clients about the possibility of proceeding before the assigned Magistrate Judge for all purposes, including trial and entry of final judgment. The parties do not consent to trial before a Magistrate Judge.

Dated: January 26, 2016

Respectfully submitted,

/s/ Russell J. Genet

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CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of the foregoing **JOINT INITIAL STATUS REPORT** via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 26th day of January, 2016.

/s/ Russell J. Genet

One of the Attorneys for Plaintiffs